

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BLACK LIVES MATTER SEATTLE-
KING COUNTY, ABIE EKENEZAR,
SHARON SAKAMOTO, MURACO
KYASHNA-TOCHA, ALEXANDER
WOLDEAB, NATHALIE GRAHAM,
AND ALEXANDRA CHEN,

Plaintiffs,

v.

CITY OF SEATTLE,

Defendant.

No. 2:20-cv-00887-RAJ

DECLARATION OF JOSHUA MATNEY
IN SUPPORT OF PLAINTIFFS' MOTION
FOR CONTEMPT

I, Joshua Matney, declare and state as follows:

1. The information contained in this declaration is true and correct to the best of my knowledge, and I am of majority age and competent to testify about the matters set forth herein.

2. I am a resident of Seattle, Washington. I have been involved with the protests against police violence and systemic racism in Seattle since May 30, 2020.

3. I have attended protests about half of the days since May 30, 2020. In early June, I was attending daily.

4. I attended the protest march on Saturday, July 25, 2020 that started near Broadway and East Pine Street at Seattle Central Community College. I was near the front of the

MATNEY DECL. ISO MOT. FOR
CONTEMPT

(No. 2:20-cv-00887-RAJ) -1

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1 march, and right after we passed the East Precinct at 12th Avenue and East Pine Street, I heard
2 explosions behind me.

3 5. I heard a protester shouting for white bodies and people with shields to move
4 toward the front. The rationale is that those who are less able can fall toward the back and reach
5 safety.

6 6. I ran back with my umbrella to the line where the protestors were exposed to the
7 police officers. Two women were talking with the police officers when one of the officers stole
8 the shield from one of the women. **They posed no threat. They were just talking.** I jumped in
9 front of her with my umbrella to try to protect her as the officers pepper sprayed her.

10 7. One of the women and I were hit with pepper spray. I had pepper spray on my
11 arms and my face. I was wearing goggles and a mask, and the pepper spray completely soaked
12 my mask, which I had to throw away.

13 8. I left the group of protestors in search of a medic and got cleaned up.

14 9. After cleaning off the pepper spray, putting on a new mask, and getting another
15 umbrella, I rejoined the protest group, which had been split up. I joined the group at Broadway
16 and East Pine Street, where there was a faceoff with the police.

17 10. There were police officers wearing gray coveralls and tactical vests, rather than
18 the normal police uniforms. I believe those officers to be SWAT members. **These officers were**
19 **firing baton rounds – rubber bullets or sponge-tipped bullets – indiscriminately into the**
20 **crowd.**

21 11. I was peacefully protesting and was not throwing anything at or threatening the
22 police. I was holding up an umbrella in the direction of the police. Umbrellas are not weapons.

23 12. About 20 minutes after the police engaged the crowd, a SWAT member in gray
24 coveralls who was about 10 feet away from me fired a baton round at me, hitting me directly in
25 the right thigh. **I posed no threat. I was not breaking anything, hurting anybody, or**
26 **threatening the police. But they still shot me in my leg for no reason.**

MATNEY DECL.

(No. 2:20-cv-00887-RAJ) –2

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1 13. The pain was significant and will be long-lasting.

2 14. Attached as **Exhibit A** is a true and correct copy of a picture that I took on July
3 25, 2020, of me in my jeans. The brown mark on my jeans is where the baton round hit me.

4 15. Attached as **Exhibit B** is a true and correct copy of a picture that I took on July
5 25, 2020, of the injuries I sustained on my right thigh as a result of a police officer shooting me
6 with a baton round from approximately 10 feet away.

7 16. The baton round hit my thigh so hard that it ricocheted off of it and hit my left leg
8 with enough force to bruise it as well.

9 17. Attached as **Exhibit C** is a true and correct copy of a picture that I took on July
10 25, 2020, of the bruising caused to my left thigh as a result of the baton round ricocheting off my
11 right thigh.

12 18. Just a few minutes later, the crowd was angry because the police had assaulted us
13 out of nowhere. There were a lot of umbrellas up. I saw a few water bottles get thrown from the
14 back of the crowd at the police officers, but they were not thrown with nearly the same frequency
15 that the police were throwing projectiles at us.

16 19. The police were throwing blast balls deep into the crowd, indiscriminately. They
17 were not just throwing them at the front.

18 20. I was slowly backing away from the police with the rest of the crowd when a
19 police officer in a typical Seattle Police Department uniform threw a blast ball at me. It was an
20 underhand throw and landed right next to me. There was a small pop, and then an explosion.

21 21. The blast ball landed against my left ankle and when it exploded, it knocked me
22 off my feet.

23 22. I was wearing work boots, which protected me from the worst of the damage. I
24 have a contusion on my ankle, and it hurts to walk.

25 23. Attached as **Exhibit D** is a true and correct copy of a picture that I took on July
26 25, 2020, of my pant leg and shoes. The hole in my pants was caused by the explosion.

MATNEY DECL.

(No. 2:20-cv-00887-RAJ) -3

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1 24. The blast ball also contained pepper spray, causing me to struggle to breathe, to
2 cough, and to have a lot of mucus, even though my vinegar-soaked bandana.

3 25. At no point during the protest did I hear the police give instructions to the
4 protestors. There was no warning to disperse. At one point I was near the press corps and heard
5 the police tell the press to move back a couple of times, but that was it.

6 26. Some of the remnants of the blast balls I saw had what looked like an expiration
7 date of "2016" on them. Other blast ball remnants that I saw had future dates on them.

8 27. After I was hit with the baton round and blast ball, I hobbled out of the crowd to
9 assess the damage to my body. I had a lot of adrenaline in my body and did not realize how bad
10 the injury was until later.

11 28. I left the protest just before sundown, around 8:30 p.m. or 9 p.m.

12 29. When I saw how bruised and bloody my leg was, I went to the emergency room
13 for treatment. The doctor showed me how to care for the wound and change the dressing. He
14 recommended wearing extra protection over the wound, as reinjuring it could cause
15 complications.

16 Executed this 26th day of July 2020 at Seattle, Washington.

17 I declare under penalty of perjury under the laws of the United States and the State of
18 Washington that the foregoing is true and correct.
19

20 By:  7/26/2020
21 _____
22 JOSHUA MATNEY

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MATNEY DECL.
(No. 2:20-cv-00887-RAJ) -4

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EXHIBIT A



EXHIBIT B



EXHIBIT C



EXHIBIT D

